



Minnesota
Pollution
Control
Agency

Metro, North
and South
Districts,
Emergency
Response Unit

**To
Report
a
Spill
or Leak
call:
(651) 649-
5451
or
(800) 422-**

Reporting Spills and Leaks

Cleanup/6-1/October 1999

Minn. Stat. § 115.061, which has been in effect since 1969, describes the duty of people to notify the Minnesota Pollution Control Agency (MPCA) when spills and leaks occur.

115.061—Duty to Notify and Avoid Water Pollution

- (a) Except as provided in paragraph (b), it is the duty of every person to notify the agency immediately of the discharge, accidental or otherwise, of any substance or material under its control which, if not recovered, may cause pollution of waters of the state, and the responsible person shall recover as rapidly and thoroughly as possible such substance or material and take immediately such other action as may be reasonably possible to minimize or abate pollution of waters of the state caused thereby.
- (b) Notification is not required under paragraph (a) for a discharge of five gallons or less of petroleum, as defined in section 115C.02, subdivision 10. This paragraph does not affect the other requirements of paragraph (a).

The law provides penalties of up to \$10,000 per day for violations.

The Minnesota Department of Public Safety, Division of Emergency Management operates a 24-hour State Duty Officer service establishing a one-call system for all state reporting requirements.

The Duty Officers record all pertinent information and then make the appropriate notifications to the state agencies. Reportable spills should be directed to the Duty Officer.

Report

Report spills of toxic, flammable, corrosive, and dangerous industrial chemicals. Also report spills of environmentally damaging materials including milk, coal, animal parts, batteries, etc.

Reportable Quantities

Minnesota has a five-gallon minimum quantity for reporting petroleum spills. Spills of all other chemicals or materials, any quantity is reportable. If in doubt, report.

People Required to Report

EVERY PERSON who has “any substance or material under its control” must report spills and leaks. This includes:

- Property owners who discover contamination.
- Individuals, partnerships, companies, corporations.
- Governmental subdivisions, including officers of these entities.
- Owners of substances being stored or transported by another company.

Contractors that are in physical control of a discharged substance.





Sometimes a fire department, police agency or other local or state agency responds to a spill or leak and they choose to report the incident to the MPCA. In some circumstances, such a report by them may be required. However, in no case does a report from someone else stand in lieu of your responsibility to report to the MPCA if a substance is in your control.

Be aware that there may be other reporting requirements imposed by local ordinances, state or federal law, or permits. Understanding all reporting requirements is the responsibility of those who handle substances which can pollute.

It is the responsibility of the spiller to ensure an effective cleanup and proper management of all wastes generated. With the exception of used oil, waste generated from petroleum spills which have been reported and cleaned up immediately are exempt from Minnesota's Hazardous Waste Rules. Waste from used oil spills must be sent to a facility for energy recovery.

For more information on spill prevention, cleanup, or disposal call **MPCA at (651) 296-6300 or (800) 657-3864** and ask for a member of the Emergency Response Team or go to the Internet at:

<http://www.pca.state.mn.us/cleanup/pubs/ertpubs.html>

Visit the Environmental Protection Agency Website for more information at: <http://www.epa.gov/oilspill/>